



Town Council Agenda Report

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A resolution of the Town of Davie, Florida, authorizing the Town of Davie to approve a contract with Hart Moves for aerobic classes.

REPORT IN BRIEF:

The Town provides recreational classes at the various facilities in the Town of Davie. Instructional recreation programs such as aerobics and personal fitness classes benefit the participants and the Town of Davie. The contract allows the Instructor to be paid seventy five (75) percent of the fee that is collected from the participant. The Town receives the twenty-five (25) percent of the fee, which compensates the Town for the use of facilities, overhead and advertising costs for the class. The Instructor collects the entire fee (the checks are made out to the Town) and submits them along with a roster to the Town, after the registration period. The Town then pays the Instructor, on a regular cycle, once the class has started. The aerobic instructor has taught for the Town many years and I foresee no problem with this class. The expected payment to the Instructor of \$25,000 requires the contract be approved and signed by the Town Council. The Instructor is providing the certificate of insurance, with the Town included as "additional insured".

PREVIOUS ACTIONS:

Resolution 88-273 authorizing the Community Services Director to approve contracts for part-time contractual personnel utilized in the various recreational activities. This is a renewal of the contracts previously approved by resolution R98-301 and R98-302.

CONCURRENCES: Not applicable

FISCAL IMPACT:

Is appropriation required?	no	X
Funding appropriated?	yes	X amount \$25,000

RECOMMENDATION(S): Motion to approve resolution for a contract with Hart Moves for aerobic and fitness programs at Pine Island Park.

Attachment(s):

Resolution and original contract for senior fitness classes, low impact and step aerobic classes, and personal training classes.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO APPROVE A CONTRACT WITH HART MOVES FOR AEROBIC CLASSES

WHEREAS, the Town of Davie is desirous of sponsoring cultural and recreational events for the benefit of the public; and

WHEREAS, the instructor's fee is based upon the number of students that register and pay for the class; and

WHEREAS, due to the increased availability of locations on a Town-wide basis and the popularity and quality of instruction, the instructor will be compensated 75% of the class fee, not to exceed \$25,000.00; and

WHEREAS, after review, the Town Council wishes to authorize the Mayor to approve contracts with Hart Moves for aerobic classes.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve a contract and authorizes the appropriate Town official to enter into contracts attached as Exhibit "A-C" with Hart Moves for aerobic instruction at various Town of Davie locations and in multiple time intervals throughout the fiscal year 1999/2000.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1999.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999.

Exhibit "A"

**TOWN OF DAVIE
INSTRUCTOR'S CONTRACT**

INSTRUCTOR'S NAME:	Hart Moves
CLASS TITLE:	Senior Fitness Classes
CLASS FEE:	\$32
NUMBER OF WEEKS:	8 - Continuous
NUMBER OF PARTICIPANTS IN CLASS:	10 to 15
INSTRUCTOR'S FEE:	75% Instructor, 25% Town
CLASS BEGINS THE DAY OF:	October 1, 1999
CLASS ENDS DAY OF:	September 30, 2000
CLASS MEETS AT:	Pine Island Fitness Center, Tuesday, 11:00 am-12:00 pm

The Town of Davie and Hart Moves, hereafter known as the instructor, enter into this agreement on August 30, 1999, whereby the Town of Davie will receive the registration money and forms, and the instructor will receive the amount stated above which shall be 75% of the registration fee with 25% of the registration fee and all non-resident fees retained by the Town of Davie.

The instructor will provide all class materials and equipment needed or pertaining to the above stated class. The instructor also acknowledges responsibility in handling any and all income taxes derived from the instructor's fees. (The instructor is actually self-employed and is contracting the class from the Town of Davie.) Insurance such as personal health care or workmen's compensation is not provided by the Town of Davie. No payment will be given for holidays or unscheduled overtime. The instructor will notify students if he/she cannot teach class any day and reschedule missed session. Instructors will be paid as agreed with the Town.

The instructor is to provide the Town of Davie a certificate of insurance for two hundred and fifty thousand dollars (\$250,000.00) with the Town of Davie included as additional insured. The certificate must be valid the entire length of the contract.

Instructor agrees to support the Town of Davie **Scholarship Program**. The scholarship program offers an opportunity for students who cannot afford to pay for classes the chance to participate. For every ten paid students registered, the instructor agrees to permit the Town of Davie to place one qualified scholarship student into this class at no cost.

Any violation of the above agreement will be reason for immediate termination of this contract.

TOWN OF DAVIE
Community Services Department
6901 Orange Drive
Davie, FL 33314

By:_____

Title:_____

Approved:_____

INSTRUCTOR

Full Name (print): Lori Hart

Address: 1705 North 41 Avenue
Hollywood, FL 33021

Signature_____

Social Security No. 265-51-9428 Phone 963-3327

Exhibit "B"

**TOWN OF DAVIE
INSTRUCTOR'S CONTRACT**

INSTRUCTOR'S NAME: Hart Moves
CLASS TITLE: Low-Impact and Step Aerobics (participants supply their own step)
CLASS FEE: \$18 for 8 classes, \$36 for 16 classes, \$54 for 24 classes, \$4 for single class - Continuous
NUMBER OF WEEKS: Varies
NUMBER OF PARTICIPANTS IN CLASS: Maximum 50
INSTRUCTOR'S FEE: 75% Instructor, 25% Town
CLASS BEGINS THE DAY OF: October 1, 1999
CLASS ENDS DAY OF: September 30, 2000
CLASS MEETS AT: Pine Island Community Center, Tuesday and Thursday, 6:00 pm - 7:00 pm, Saturday 9:30 am - 10:30 am

The Town of Davie and Hart Moves, hereafter known as the instructor, enter into this agreement on August 30, 1999, whereby the Town of Davie will receive the registration money and forms, and the instructor will receive the amount stated above which shall be 75% of the registration fee with 25% of the registration fee and all non-resident fees retained by the Town of Davie.

The instructor will provide all class materials and equipment needed or pertaining to the above stated class. The instructor also acknowledges responsibility in handling any and all income taxes derived from the instructor's fees. (The instructor is actually self-employed and is contracting the class from the Town of Davie.) Insurance such as personal health care or workmen's compensation is not provided by the Town of Davie. No payment will be given for holidays or unscheduled overtime. The instructor will notify students if he/she cannot teach class any day and reschedule missed session. Instructors will be paid as agreed with the Town.

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Instructor agrees to support the Town of Davie **Scholarship Program**. The scholarship program offers an opportunity for students who cannot afford to pay for classes the chance to participate. For every ten paid students registered, the instructor agrees to permit the Town of Davie to place one qualified scholarship student into this class at no cost.

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TOWN OF DAVIE
Community Services Department
6901 Orange Drive
Davie, FL 33314

By: _____

Title: _____

Approved: _____

INSTRUCTOR

Full Name (print): Lori Hart

Address: 1705 North 41 Avenue
Hollywood, FL 33021

Signature _____

Social Security No. 265-51-9428 Phone 963-3327

Exhibit "C"

**TOWN OF DAVIE
INSTRUCTOR'S CONTRACT**

INSTRUCTOR'S NAME:	Hart Moves
CLASS TITLE:	Personal Training
CLASS FEE:	Varies per Town of Davie Fee Schedule
NUMBER OF WEEKS:	Not applicable
NUMBER OF PARTICIPANTS IN CLASS:	Varies
INSTRUCTOR'S FEE:	75% Instructor, 25% Town
CLASS BEGINS THE DAY OF:	October 1, 1999
CLASS ENDS DAY OF:	September 30, 2000
CLASS MEETS AT:	Pine Island Fitness Center

The Town of Davie and Hart Moves, hereafter known as the instructor, enter into this agreement on August 30, 1999, whereby the Town of Davie will receive the registration money and forms, and the instructor will receive the amount stated above which shall be 75% of the registration fee with 25% of the registration fee and all non-resident fees retained by the Town of Davie.

The instructor will provide all class materials and equipment needed or pertaining to the above stated class. The instructor also acknowledges responsibility in handling any and all income taxes derived from the instructor's fees. (The instructor is actually self-employed and is contracting the class from the Town of Davie.) Insurance such as personal health care or workmen's compensation is not provided by the Town of Davie. No payment will be given for holidays or unscheduled overtime. The instructor will notify students if he/she cannot teach class any day and reschedule missed session. Instructors will be paid as agreed with the Town.

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TOWN OF DAVIE
Community Services Department
6901 Orange Drive
Davie, FL 33314

By:_____

Title:_____

Approved:_____

INSTRUCTOR

Full Name (print): Lori Hart

Address: 1705 North 41 Avenue
Hollywood, FL 33021

Signature_____

Social Security No. 265-51-9428 Phone 963-3327